

UNITED STATES DISTRICT COURT

for the

Middle District of Tennessee

Columbia Division

RECEIVED

JAN 31 2024

U.S. District Court
Middle District of TN

Case No. _____

(to be filled in by the Clerk's Office)

Mitchell Darnell Eads

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

"See Attached"

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name Mitchell Darnell Ends
 All other names by which
 you have been known: _____
 ID Number 00243729
 Current Institution Whitville Correctional Facility
 Address 1440 Union Springs Rd.
Whitville TN 38075
 City State Zip Code

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (*if known*) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name Frank Strada
 Job or Title (*if known*) Commissioner
 Shield Number _____
 Employer Tennessee Department of Corrections
 Address 330 Sixth Ave. North
Nashville TN 37243
 City State Zip Code
☒ Individual capacity ☒ Official capacity

Defendant No. 2

Name Chance Leeds
 Job or Title (*if known*) Whitville Correctional Facility Warden
 Shield Number _____
 Employer Cole Civic / Whitville Correctional Facility
 Address 1440 Union Springs Rd.
Whitville TN 38075
 City State Zip Code
☒ Individual capacity ☒ Official capacity

Defendant No. 3

Name

Kymetric Banner

Job or Title (if known)

F3J Unit Manager

Shield Number

Employer

Core Civic / Whitville Correctional Facility

Address

1440 Union Springs Rd.

Whitville

City

TN

State

38075

Zip Code



Individual capacity



Official capacity

Defendant No. 4

Name

Justin Grant

Job or Title (if known)

F-unit / A3B Pod Case Manager

Shield Number

Employer

Core Civic / Whitville Correctional Facility

Address

1440 Union Springs Rd.

Whitville

City

TN

State

38075

Zip Code



Individual capacity



Official capacity

* Additional Defendants Attached

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

Federal officials (a *Bivens* claim)

State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

The Fourth (4th) Amendment Right to be Secure in my Person and Free from Unlawful Seizure of my Property
 The Eighth (8th) Amendment Right to be Free from Cruel & Unusual Punishment
 The Fourteenth (14th) Amendment Right to Procedural Due Process of Law

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

Additional Defendants

Defendant No. 5

Name: Tasma Robertson

Job/Title: Family Nurse Practitioner

Shield Number:

Employer: Core Civic / Whiteville Correctional Facility

Address: 1440 Union Springs Rd., Whiteville TN. 38075

☒ Individual Capacity ☒ Official Capacity

Defendant No. 6

Name: Lisa West

Job/Title: WCFA Mailroom Officer

Shield No.

Employer: Core Civic / Whiteville Correctional Facility

Address: 1440 Union Springs Rd., Whiteville, TN. 38075

☒ Individual Capacity ☒ Official Capacity

Defendant No. 7

Name: Leslie Norfork

Job/Title: WCFA Healthcare Services Administrator

Shield num N/A

Employer: Core Civic / WCFA

Address: 1440 Union Springs Rd., Whiteville TN. 38075

☒ Individual Capacity ☒ Official Capacity

D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

Defendant Frank Strada as Commissioner of the Tennessee Department of Corrections is charged with the duty of the safe and secure operation of All Tennessee Correctional Facilities as required under both Tennessee Code Annotated Statutes 4-3-603 and 4-3-606 as well as his code of office. Thus, Defendant Frank Strada is directly (continue) →

III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows (check all that apply):

- ☐ Pretrial detainee
- ☐ Civilly committed detainee
- ☐ Immigration detainee
- ☒ Convicted and sentenced state prisoner
- ☐ Convicted and sentenced federal prisoner
- ☐ Other (explain):

IV. Statement of Claim

State in brief but in precise the facts of your case. Describe how each defendant was personally involved in the alleged wrong(s), along with the dates and locations of all relevant events. You may wish to include further information in the names of other persons involved in the events giving rise to your claims. Do not cite any codes or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.

B. If the events giving rise to your claim arose in an institution, describe where and when they arose.

December 8th 2022, December 27th 2022, and January 19th 2023 @ the WCFA Mailroom.
January 28th 2023 in F-unit / A-Pod Cell # 112 @ Approximately 5 P.M. C.S.T. to 5:45 P.M. C.S.T. / February 1st 2023 / February 3rd 2023 /

II D. (Continued) Page 1 of 2 →

Responsible for the Actions of All Tennessee Department of Corrections Employees as well as all T.D.C. Contractors and Vendors including specifically Core Civic and Whiteville Correctional Facility Employees.

Defendant Warden Chance Leeds, as a Contract employee of Core Civic and the Whiteville Correctional Facility, operates the facility under the Authority bestowed to him from Defendant Frank Strada and as such is directly responsible for the custody and care of all inmates housed at the Whiteville Correctional Facility.

Defendant Unit Manager Kymetris Bonner as a Contract employee of Core Civic and the Whiteville Correctional Facility exercises her Authority and Control of all inmates in F-unit under the direct Authority of both Defendant Frank Strada and Chance Leeds and is thus directly responsible for the safe & secure operation of F-unit and all inmates under her supervision.

Defendant Justin Grant, as a Contract employee of Core Civic and the Whiteville Correctional Facility at the time of the events alleged herein exercised his Authority, Control and the Management of inmates housed in F-unit, Pods A (Alpha) & B (Brow) as Case Manager under direct Authority of Defendants Strada, Leeds, and Bonner and is thus directly responsible for the care, custody and control of F unit inmates under his supervision.

Defendant Tasma Robertson, as a Contract employee of Core Civic and the Whiteville Correctional Facility is directly responsible for the accident/injury reporting and competent care of inmates assaulted at the Whiteville Correctional Facility under the direct authority of her Contract and Defendants Strada and Leeds.

II D. (Continued) Page 2 of 2

Defendant Lisa West, as a Contract employee of Core Civic and the Whiteville Correctional Facility under the direct supervision and Authority of Defendants Frank Strada and Chance Leeds is directly responsible for her position as Wcfa Mailroom staff for the timely and effective distribution of All inmate Mail.

Defendant Leslie Norfolk, as a Contract employee of Core Civic and Whiteville Correctional Facility under the direct supervision and Authority of Defendant(s) Frank Strada and Chance Leeds is directly responsible as per her position as Wcfa Healthcare Services Administrator for the Medical treatment of all inmates housed at Wcfa as well as the inmates employed as Medical industrial / commercial cleaners in the Wcfa Medical Clinic.

C. What date and approximate time did the events giving rise to your claim(s) occur?

December 8th 2022, December 27th 2022, January 19th 2023, January 28th 2023 @ 5 P.M. - 5:45 P.M., February 1st 2023 and February 3rd 2023, March 17th 2023 @ 11:45 AM, April 2023 @ 8:50 AM - 9:20 A.M.

D. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

December 8th 2022, I executed a Notarized Sworn legal notice and Demand that was mailed Certified Mail December 27th 2022 and received Registered Mail January 19th 2023 to Tennessee Secretary of State Tre Hargett (See Attached Exhibit(s) A-1 / A-2 / A-3). This legal notice and Demand advised and put in notice All Tennessee Officials, Agents, employees, Contractors and Vendors thereof, that Any Violation of MY Rights From the Date of the Notice (if not Contested in Writing Within 30 Days of Receipt or on February 18th 2023) Would be Continued →

V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive. I received multiple abrasions, Contusions and at least one Fracture of MY right orbital bone. MY right eye sustained a hemorrhage and Swelled Completely Shut, the hemorrhage lasted more than a month. MY Treatment and initial Consult with Nurse Irvin was done with exceptional skill, MY treatment by Nurse Practitioner Tasma Robertson was not. I Believe I was denied Proper treatment of MY injuries and MY right eye Vision is blurred and may be Permanent. I also believe I am suffering from Post Traumatic Stress disorder from this incident.

VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims. I Want the Court to ORDER the defendants to immediately Archive and Preserve All Video Footage From Both Cameras in WCCA F-unit A-Pod From January 28th 2023 From 5 P.M. to 6 P.M. respectively. I request the following Monetary damages: Two Million Dollars in Actual/Nominal damages, Two Million Dollars in Punitive Damages, and Two Million Dollars in Compensatory Damages, PER OCCURRENCE. These Claims are evidenced by the Mandatory language of MY legal Notice and Demand (See Exhibit A-1) which, to the date of this Filing has not been Contested or Refuted.

IV. D. (Continued) Page 1 of 2

immediately enforceable by a Two Million (\$2,000,000.00) Dollar Judgment in Federal United States District Court. On January 28th 2023 Six (6) inmates entered my Housing (Cell # F-A-112) at approximately 5 P.M. displaying Weapons (Knives) Made of Steel. After a struggle and my having been struck in my right eye /cheek /orbital socket and being subdued by my attackers, I was held on the ground and assaulted (Punched, Kicked and threatened with stabbing and scalding with hot water and beatings with belts) and my life threatened if I did not let these attackers take my Personal Property I would be stabbed and killed. After refusing to allow my Property to be taken, my attackers rummaged through my belongings and found my Fiance's telephone number. One assailant Produced a CellPhone and Called my Fiance and threatened to Murder me if she did not send him \$1,000.00 on Cashapp. My Fiance transferred Five hundred (\$500) on Cashapp January 28th 2023 at 5:44 P.M. and the attackers left at around 6 P.M.. On February 1st 2023, my attackers extorted another three hundred (\$300) dollars from my Fiance @ 11:44am. February 3rd my attackers extorted another one hundred (\$100) from my Fiance @ 8:23 PM. On February 2nd, I believe, I completed a emergency Sick Call and my injuries documented and a X-ray of my face was ordered. On or about February 3rd 2023, a X-ray was Performed, which I viewed and observed three (3) Fractures of my Right orbital lobe. On or about February 8th 2023 I was advised Verbally by Defendant Tasma Robertson that my X-ray was "Good." On February 8th 2023, I had three (3) legal Documents arrive at the W.C.F.A. Facility which were as follows: (1) Request to Postpone Filing Fees and Order (2) Request not to Pay Fees for Appeal.

Continued →

IV. D. (Continued) Page 2 of 2

And (3) A Writ of Certiorari (to be filed in a contested case Mitchell Ends v. Tennessee Board of Paroles in Davidson County Tennessee at Nashville). On February 23rd 2023, I received Wcfa Mailroom officer Lisa West notice that my documents were being denied due to some unknown substance on the documents without requesting or ordering any testing or forensic examination of the documents. On Friday March 17th 2023, I and my cell (F-D-213) was/were searched by the Wcfa S.O.R.T. (Special Operation Response team) without a completed CR-2056 Authorization of Probable Cause by Warden Chance Leeds. This March 17th search was retaliatory in nature and performed for the specific purpose of deterring me from accessing the courts relative to the claims in this petition. On April 4th 2023 @ 8:50 AM, I accessed the inmate telephone system while performing my commercial cleaning detail at the Wcfa Medical Clinic to call my Power of Attorney and legal adviser Brian Brooks Robinson, owner and operator of MY Contract Paralegal. I was terminated from my work detail as a result of my phone call.

I will continue to be retaliated against by Wcfa / Core Civic agents in violation of my legal notice and demand and my guaranteed right to seek redress in United States district court.

VII. Exhaustion of Administrative Remedies Administrative Procedures

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

- A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

☒ Yes

☐ No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

Core Civic, Whitville Correctional Facility
1440 Union Spass Rd.
Whitville, TN. 38075

- B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

☒ Yes

☐ No

☐ Do not know

- C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

☐ Yes

☒ No

☐ Do not know

If yes, which claim(s)?

- D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

☒ Yes

☐ No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

☐ Yes

☐ No

- E. If you did file a grievance:

1. Where did you file the grievance?

W.C.B.A., Unit F-1 Grievance Box

2. What did you claim in your grievance? Failure to Protect from Assault, Especially Aggravated Kidnapping, Attempted Murder, Especially Aggravated Robbery and Terroristic Threatening, Failure to Provide Adequate Treatment and Violation of the Eighth Amendment Ban against Cruel and Unusual Punishment, Violation of the First Amendment's Right to Freedom of Association, the 6th Amendment's Right of Access to the Courts and the 14th Amendment to Procedural Due Process of Law

3. What was the result, if any? MY Grievance Was never answered, never returned.

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. (Describe all efforts to appeal to the highest level of the grievance process.)

I Partly Appeal a Unanswered Grievance. MY Grievance Was destroyed in an attempt to Prevent me from litigating my Claim.

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

Whitville Correctional Facility has a known and documented history of falsifying public records/documents and non-compliance with Federal and State Agencies, rules and regulations. My Exhaustion of Administrative Remedies is Not Requested Per MY legal notice (Exhibit A-1) and the Separation of Powers Clause of the Constitution.

(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)

VIII. Previous Lawsuits

The "three strikes rule" bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has "on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this "three strikes rule"?

☐ Yes

☒ No

If yes, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.

A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

☐ Yes

☒ No

B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. *(If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)*

1. Parties to the previous lawsuit

Plaintiff(s) _____

Defendant(s) _____

2. Court *(if federal court, name the district; if state court, name the county and State)*

3. Docket or index number

4. Name of Judge assigned to your case

5. Approximate date of filing lawsuit

6. Is the case still pending?

☐ Yes

☐ No

If no, give the approximate date of disposition. _____

7. What was the result of the case? *(For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)*

C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?

☒ Yes

☐ No

D. If your answer to C is yes, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)

1. Parties to the previous lawsuit

Plaintiff(s) Mitchell Ends

Defendant(s) Claiborne County Sheriff's Dept.

2. Court (if federal court, name the district; if state court, name the county and State)

Eastern District of Tennessee at Knoxville

3. Docket or index number

4. Name of Judge assigned to your case

James Jarvis

5. Approximate date of filing lawsuit

June 1998

6. Is the case still pending?

☐ Yes

☒ No

If no, give the approximate date of disposition

July 1999

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)

Dismissed

Additional lawsuits

1. Parties Plaintiff: Mitchell Ends
Defendants: Tennessee Department of Corrections
2. Court: Eastern District of Tennessee at Knoxville
3. Docket Number: 2010-CV-0165
4. Judge: James Jarvis
5. Date of Filing: March 2010
6. Is Case still Pending? No, Case Disposed March 2011
7. Result: Dismissed.

1. Parties Plaintiff: Mitchell Ends
Defendants: State of Tennessee, et. al
2. Court: Middle district of Tennessee at Nashville, Columbia Division
3. Name of Judge: William Campbell Jr., Magistrate Judge Jeffery S. Frensky Jr.
4. Docket Number: 18-CV-00042
5. Date of Filing: June 14th 2018
6. Is Case still Pending? Yes

IX. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: June 13th 2023

Signature of Plaintiff

Printed Name of Plaintiff

Prison Identification #

Prison Address

Mitchell Eads
Mitchell Eads
00243729
1440 Union Springs Rd.
Whiteville TN. 38075
City State Zip Code

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City State Zip Code

Telephone Number

E-mail Address

Mitchell Ends # 243724
WCFA/Circ Civil/F-C-203
1440 Union Square Rd
Whiteville, TN 37897



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Middle District of TN

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Nashville, TN. 37203



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